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**March 28, 2007**

Date of Deposit

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 2828

GRIFFITHS ET AL.

APPLICATION NO: 10/521,103

FILED: FEBRUARY 14, 2005

FOR: HSP70 FROM ARTHROBACTER

**MS: Amendment**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Madam:

In response to the above-identified Office Action for Restriction Requirement dated November 28, 2006, having a period for response set to expire December 28, 2006, the Applicants file this election and request that the claims be considered in light thereof. The Applicants also respectfully herein request a three month extension of time for filing this response as allowed under 37 C.F.R. § 1.136(a). The Commissioner is also authorized to charge Deposit Account No. 19-0134 in the name of Novartis for the fee of \$1020.00 as required under 37 C.F.R. § 1.17(a). It is believed that no additional fees are due, however the Commissioner is authorized to charge any additional fees that may be properly assessable, or credit any overpayment, to Deposit Account No. 19-0134 in the name of Novartis.

The election and remarks begin on page 2